9/97 FORM 11



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Docket No.: NEST-007XX

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed

| the subject | matter which is c | and joint inventor (if plu laimed and for which a pat ATION PREDICTION AND RECORD | ent is sought | |
|--------------------------|--|---|--------------------------------|-------------------------------------|
| the specific | cation of which (ch | neck one): | | |
| [] is attac | | as filed <u>November 22, 1999</u> amended on(i | | |
| [] was file and was | ed as PCT Internati amended under PCT | onal Application No Article 19 on | on (if applic | cable). |
| _ | | reviewed and understand luding the claims, as amer | | |
| _ | | close information which is nce with Title 37, Code of | | - |
| foreign applidentified k | lication(s) for pat pelow any foreign a | rity benefits under Title cent or inventor's certific application for patent or i application on which prior | ate listed be nventor's cer | low and have als tificate having |
| Prior Foreig | n Application(s) | Date Filed | Priority | Claimed |
| (Number) | (Country) | (Day/Month/Year) | [] Yes | [] No |
| (Number) | (Country) | (Day/Month/Year) | [] Yes | [] No |
| _ | laim the benefit application(s) lis | under Title 35, USC § ted below: | 119(e) of an | y United State |
| 60/109,731 | | November 23, 1998_ | | |
| (Application | n Number) | (Filing Date) | | |
| (Application | n Number) | (Filing Date) | | |
| (Application | n Number) | (Filing Date) | | |

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I hereby claim the benefit under Title 35 USC §120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 USC §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| (Application No.) | (Filing Date) | (Patented/pending/abandoned) |
|-------------------|---------------|------------------------------|
| (Application No.) | (Filing Date) | (Patented/pending/abandoned) |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business connected therewith in the Patent and Trademark Office, and to file with the USRO any International Application based thereon.

Stanley M. Schurgin, Reg. No. 20,979 Charles L. Gagnebin III, Reg. No. 25,467 Paul J. Hayes, Reg. No. 28,307 Victor B. Lebovici, Reg. No. 30,864

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Docket No.: NEST-007XX

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Attorney

Docket No.: NEST-007XX

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